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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9 SAN FRANCISCO DIVISION

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11 VASUDEVAN SOFTWARE, INC., No. 11-cv-06637 RS  
12 Plaintiff,

13 v. **ORDER ON PENDING MOTIONS**

14 MICROSTRATEGY, INC.,  
15 Defendant.

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18 The parties have stipulated, in light of the Claim Construction Clarification Order (Dkt.  
19 326), that the accused products of defendant MicroStrategy, Inc. (MicroStrategy) do not infringe the  
20 asserted claims of the U.S. patents owned by plaintiff Vasudevan Software, Inc. (VSi): numbers  
21 6,877,006 (the '006 patent), 7,167,864 (the '864 patent), 7,720,861 (the '861 patent), and 8,082,268  
22 (the '268 patent. *See* Dkt. 331. In light of the stipulation, summary judgment of non-infringement  
23 is hereby entered in favor of MicroStrategy and against VSi.

24 A number of motions are currently pending in this case. By separate concurrently filed order  
25 granting MicroStrategy's Motion for Summary Judgment of Invalidity, Dkt. 224, summary  
26 judgment of invalidity is also entered in favor of MicroStrategy and against VSi. In addition,  
27 another separate concurrently filed order denies in part and grants in part MicroStrategy's Motion  
28 for Summary Judgment of No Direct Infringement of the '006, '861, and '268 Patents and No

1 Indirect Infringement of Any Patent-In-Suit, Dkt. 223. Furthermore, the following motions are  
2 hereby denied without prejudice in the event of any remand:

- 3 • VSi's Motion for Summary Judgment of No Inequitable Conduct, Dkt. 216.
- 4 • VSi's Motion for Summary Judgment on MicroStrategy's Laches Defense, Dkt. 219.
- 5 • VSi's Motion to Exclude MicroStrategy's Experts' Opinions Regarding "Disparate  
6 Databases," Dkt. 259.
- 7 • VSi's Motion to Exclude MicroStrategy's Damages Expert Sara Rinke and Opinions  
8 Related to Non-Infringing Alternatives, Dkt. 276.
- 9 • MicroStrategy's Motion for Summary Judgment of Non-Infringement, Dkt. 221.
- 10 • MicroStrategy's Motion to Strike Portions of VSi's Expert Reports, Dkt. 274.
- 11 • MicroStrategy's Motion to Exclude Expert Testimony, Dkt. 275.

12 All pending administrative motions to seal will be terminated without prejudice to being refiled at a  
13 later time. This will not result in the filing of any provisionally sealed documents in the public  
14 record.

15 IT IS SO ORDERED.

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17 Dated: 10/17/13



RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE

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